

# Update Hall's Sentencing

## Service 184 — June 2022

### Legislation

The Corrections Regulations 2005 has been amended by the Corrections Amendment Regulations 2022 effective 1 April 2022.

The Criminal Procedure Act 2011 has been amended by:

- Te Kāhui o Matariki Public Holiday Act 2022 effective 12 April 2022; and
- the COVID-19 Response (Courts Safety) Legislation Act 2022 effective 21 April 2022.

The Parole Act 2002 has been amended by Te Kāhui o Matariki Public Holiday Act 2022 effective 12 April 2022.

The Sentencing Act 2002 has been amended by Te Kāhui o Matariki Public Holiday Act 2022 effective 12 April 2022.

### Commentary

#### Sentencing

##### Introduction: Principles of Sentencing

Commentary has been updated in the following paragraphs:

- I.2 — Appellate guidance: see [I.2.2], [I.2.4].
- I.5 — The nature and gravity of the offence: see [I.5.4], [I.5.6], [I.5.9], [I.5.11], [I.5.14].
- I.6 — Circumstances of the offender: see [I.6.2]–[I.6.5], [I.6.12].
- I.7 — Behaviour subsequent to the offence: see [I.7.1], [I.7.7], [I.7.8], [I.7.9], [I.7.11].
- I.8 — Factors not to be considered as aggravating: see [I.8.2].

#### Sentencing Act

Commentary has been updated in the following paragraphs:

- Part 1 — Sentencing purposed and principles, and provisions of general application: see [SA6.7], [SA8.7], [SA8.8], [SA9A.1], [SA12.2].
- Part 2 — Sentences, orders, and related matters: see [SA40.9], [SA80A.4], [SA80F.2], [SA80S.2], [SA85.1], [SA85.2], [SA86.1], [SA86.4], [SA89.7], [SA103.2], [SA104.1], [SA104.2], [SA104.2A], [SA152.1], [SA154.1], [SA154.2].

#### Sentencing Levels

Commentary and notes have been updated for the following provisions:

- Crimes Act 1961, ss 128(1)(a), 128(1)(b), 134(1), 135, 171 — manslaughter, 173, 188(1) — wounding with intention to cause grievous bodily harm, 188(2), 193, 202C, 209, 220/223(a), 228, 231, 235 — aggravated robbery, 247(a), (b).

- Harmful Digital Communications Act 2015, s 22.
- Misuse of Drugs Act 1975, ss 6(1)(a) — importing a Class A controlled drug, 6(1)(f) — possession of a Class C drug for supply/sale.

## Appendices

Commentary has been updated in the following paragraphs:

- Appendix II — Appeals Against Sentence: see [APPII.2], [APPII.3.11], [APPII.4.8], [APPII.5.1].
- Appendix IV — Forfeiture: see [APPIV.3].
- Appendix VI — Bail: see [APPVI.9A.1], [APPVI.10.1], [APPVI.11.1], [APPVI.11.2], [APPVI.12.2], [APPVI.13.4], [APPVI.14.7], [APPVI.30.2], [APPVI.34A.1], [APPVI.35.1], [APPVI.36.1].
- Appendix VIII — Youth Justice: see [APPVIII.1], [APPVIII.1(a)], [APPVIII.1(b)], [APPVIII.1(d)], [APPVIII.2(a)], [APPVIII.3.1], [APPVIII.3.2], [APPVIII.3.4]–[APPVII.3.7], [APPVIII.3.9], [APPVIII.4(a)]–[APPVIII.4(d)], [APPVIII.4.1], [APPVIII.4.4]–[APPVIII.4.9], [APPVIII.4.13]–[APPVIII.4.16], [APPVIII.5].

## Index

An updated consolidated index has been included in this service.